

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

Bail Appl..No. 7777 of 2014

CRIME NO. 1429/2014 OF PALAKKAD TOWN SOUTH POLICE STATION , PALAKKAD

PETITIONER(S)/ACCUSED:

**K.M.YOUSUF, AGED 50 YEARS,
S/O. MOOSA, KAMMANTHARA HOUSE, VANDAZ,
P.O VANDAZHY, PALAKKAD DISTRICT.**

**BY ADVS.SRI.S.SANAL KUMAR
SMT.BHAVANA VELAYUDHAN
SMT.T.J.SEEMA**

RESPONDENT(S)/COMPLAINANT:

**STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20-08-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

K. ABRAHAM MATHEW, J.

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B.A.No. 7777 of 2014

Dated this the 20th day of August, 2015

O R D E R

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No.1429 of 2014 of Palakkad Town Police Station.

3. He is said to have committed the offence under Section 7 of Essential Commodities Act, 1955 ad Section 6(4) of Public Distribution System (Control) Order, 2001.

4. The prosecution case is that he was found to be in possession of rice which was meant for distribution only through Ration Shops.

5. Heard.

6. Learned counsel submits that the allegation is false. The incident happened about one year ago. It appears that detention of the petitioner is not necessary for effective investigation. So, I am inclined to grant the prayer of the petitioner.

In the result, this application is allowed.

- 1) *The petitioner shall be released on bail on his executing a bond for Rs.1,00,000/- (Rupees one lakh thousand only) with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.*
- 2) *He shall surrender his passport before the lower court concerned or if he does not have one, he shall file an affidavit to that effect within five days of his release.*
- 3) *He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.*
- 4) *He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.*
- 5) *He shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every alternate Wednesdays for three months or till the final report is filed, whichever is earlier.*
- 6) *He shall not intimidate or attempt to influence the witnesses.*
- 7) *He shall not destroy or tamper with evidence.*
- 8) *He shall not get himself involved in any other criminal case while he is on bail.*

If the petitioner surrenders before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

Sd/-
K. ABRAHAM MATHEW,
JUDGE

DST

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P.A. To Judge